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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**
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9 AARON LEE TURPENING,

10 Petitioner,

2:16-cv-02947-JCM-PAL

11 vs.

ORDER

12 TIMOTHY FILSON, *et al.*,

13 Respondents.
14 _____ /
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16 In this habeas corpus action, brought by Nevada prisoner Aaron Lee Turpening, the
17 respondents filed an answer to Turpening's petition for writ of habeas corpus on May 10, 2017
18 (ECF No. 15). Turpening was then due to file a reply by July 10, 2017. *See* Order entered January
19 12, 2017 (ECF No. 3) (60 days for reply).

20 Turpening did not file a reply. Rather, on June 15, 2017, Turpening filed a Motion for Stay
21 or Extension of Time (ECF No. 19). In that filing, Turpening essentially requests that this action be
22 suspended -- by either a stay or an extension of time -- while he completes certain litigation in state
23 court. As the Court understands Turpening's motion, Turpening has an appeal pending in the
24 Nevada Supreme Court, in which he appeals from the denial of a motion for modification of his
25 sentence, and he believes the resolution of that appeal will have an impact on this action.
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1 On June 27, 2017, respondents filed a notice (ECF No. 20), stating that they do not oppose
2 suspending further proceedings in this action until the Nevada Supreme Court rules on Turpening's
3 pending appeal.

4 Therefore, good cause appearing, the Court will stay this action pending the resolution of the
5 appeal in the Nevada Supreme Court.

6 **IT IS THEREFORE ORDERED** that petitioner's Motion for Stay or Extension of Time
7 (ECF No. 19) is **GRANTED**. This action is **STAYED** pending the resolution of petitioner's appeal
8 pending in the Nevada Supreme Court (Case Number 72227 in the Nevada Supreme Court).

9 **IT IS FURTHER ORDERED** that the Clerk of the Court shall close this case
10 administratively.

11 **IT IS FURTHER ORDERED** that petitioner shall, within 30 days after the Nevada
12 Supreme Court rules on his appeal, file a notice in this case informing the Court of that ruling. The
13 Court will then determine whether the stay should be lifted, and, if so, what further proceedings are
14 necessary in this case.

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16 Dated July 13, 2017.

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19 UNITED STATES DISTRICT JUDGE
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